



COMPTROLLER

UNDER SECRETARY OF DEFENSE  
1100 DEFENSE PENTAGON  
WASHINGTON DC 20301-1100



MAY 30 2006

The President  
The White House  
1600 Pennsylvania Avenue, NW  
Washington, DC 20500

Dear Mr. President:

This letter is to report a violation of the Antideficiency Act, Department of the Army Case 05-16, as required by Title 31, United States Code, Section 1517(b).

The violation occurred in fiscal years 2003 and 2004 when personnel associated with the 10th Mountain Division, Fort Drum, New York, used Operation and Maintenance, Army appropriation funds to purchase Tri-band Transit-Caused Satellite Terminals for operations in Afghanistan. The terminals should have been purchased with Other Procurement, Army appropriation funds. The use of these funds was a violation of Title 31, United States Code, Section 1301, Purpose Statute, and a violation of Title 31, United States Code, Section 1517(a). The violation totaled \$3,347,456.40.

Enclosed is a report from the Deputy Assistant Secretary of the Army (Financial Operations). The following individuals were named responsible for the violation:

Colonel Clarence A. Cruse, III, former Deputy Chief of Staff,  
Resource Management, 10th Mountain Division (Light) and Fort Drum.  
Major Earl W. Rilington, Jr, Division Comptroller, Assistant Chief of Staff, G8,  
10th Mountain Division (Light) and Fort Drum  
Ms. LuAnn Smith, Budget Officer, Assistant Chief of Staff, G8,  
10th Mountain Division (Light) and Fort Drum

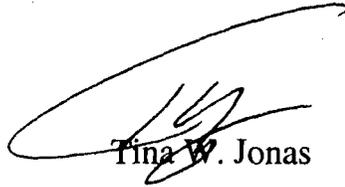
Two individuals received formal written counseling. One individual received a Letter of Concern. The Army concluded there was no knowing or willful violation of the Antideficiency Act by the individuals named responsible.

The funding was corrected when the U. S. Army Forces Command provided Other Procurement, Army funds to the 10th Mountain Division. In addition, the contract for the terminal purchases was modified citing the correct appropriation.



Identical reports are being submitted to the President of the Senate, the Speaker of the House of Representatives, and the Comptroller General of the United States.

Respectfully yours,

A handwritten signature in black ink, appearing to be 'Tina W. Jonas', is written over the typed name. The signature is fluid and cursive, with a large loop at the top.

Enclosure:  
As stated



COMPTROLLER

UNDER SECRETARY OF DEFENSE  
1100 DEFENSE PENTAGON  
WASHINGTON DC 20301-1100



MAY 30 2006

The Honorable Richard B. Cheney  
President of the Senate  
285 Eisenhower Executive Office Building  
Washington, DC 20501

Dear Mr. President:

This letter is to report a violation of the Antideficiency Act, Department of the Army Case 05-16, as required by Title 31, United States Code, Section 1517(b).

The violation occurred in fiscal years 2003 and 2004 when personnel associated with the 10th Mountain Division, Fort Drum, New York, used Operation and Maintenance, Army appropriation funds to purchase Tri-band Transit-Caused Satellite Terminals for operations in Afghanistan. The terminals should have been purchased with Other Procurement, Army appropriation funds. The use of these funds was a violation of Title 31, United States Code, Section 1301, Purpose Statute, and a violation of Title 31, United States Code, Section 1517(a). The violation totaled \$3,347,456.40.

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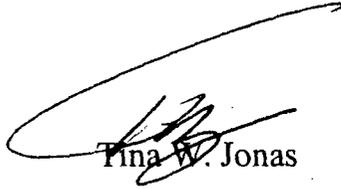
Two individuals received formal written counseling. One individual received a Letter of Concern. The Army concluded there was no knowing or willful violation of the Antideficiency Act by the individuals named responsible.

The funding was corrected when the U. S. Army Forces Command provided Other Procurement, Army funds to the 10th Mountain Division. In addition, the contract for the terminal purchases was modified citing the correct appropriation.



Identical reports are being submitted to the President, the Speaker of the House of Representatives, and the Comptroller General of the United States.

Sincerely,

A handwritten signature in black ink, appearing to read "Tina W. Jonas", is written over a large, sweeping horizontal line that extends across the width of the signature.

Enclosure:  
As stated



COMPTROLLER

UNDER SECRETARY OF DEFENSE  
1100 DEFENSE PENTAGON  
WASHINGTON DC 20301-1100



MAY 30 2006

The Honorable J. Dennis Hastert  
Speaker of the House of Representatives  
U.S. House of Representatives  
Washington, DC 20515

Dear Mr. Speaker:

This letter is to report a violation of the Antideficiency Act, Department of the Army Case 05-16, as required by Title 31, United States Code, Section 1517(b).

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Identical reports also are being submitted to the President, the President of the Senate, and the Comptroller General of the United States.

Sincerely,



Tina W. Jonas

Enclosure:  
As stated